WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY Date of filing in State Engineer's Office JAN 2 0 2009 Returned to applicant for correction Corrected application filed ______ Map filed JAN 2 0 2009under The applicant United States of America, U. S. Department of Energy 1551 Hilishire Drive of Las Vegas Street Address or P.O. Box hereby make(s) application for permission to appropriate Nevada 89134 State and Zip Code the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.) 1. The source of water is Underground (PahV-4) 2. The amount of water applied for is 1.0 cfs net 781-acre feet per year (See Attachment A) second feet. (a) If stored in reservoir give number of acre-feet 3. The water to be used for Construction (See Attachment A) Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use. 4. If use is for: (a) Irrigation, state number of acres to be irrigated (b) Stockwater, state number and kind of animals (c) Other use (describe fully in No. 12.) (d) Power: (1) Horsepower developed (2) Point of return of water to stream

REL WALL

108-11

Within the NW 1/4 SE 1/4 of Section 1, T.1N., R.62E., M.D.B. & M. (unsurveyed), or at a point from which the northeast corner of Section 1, T.1N., R.62E., M.D.B. & M., bears N. 23° 23° 55° E. a distance of 3,585 feet. (See Basin 208 Map Sheet 1 of 4) 6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.) See Attachment A and Basin 208 Map Sheet 4 of 4. 7. Use will begin about	 The water is to be diverted from its source at and by course and distance to a found section corner. If on unsurvey. 	the following point: (Describe as being within a 40-acre subdivision of public survey, red land, it should be so stated.)
6. Place of use: (Describe by legal subdivision. If no unexaryeyed load, it should be so sheed.) See Attachment A and Basin 208 Map Sheet 4 of 4. 7. Use will begin about January 1 and end about Descember 31 of each year. Menth and Day Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (See enumers in which water is to be diverted, Le diversion smother, disclass and fines, different well with purp of mentor, as a finished cased well, worth cased well and the cased well, worth cased well, worth cased well as the cased well worth cased well as the cased worth cased worth cased well, well as the cased worth cased well, well as the cased worth cased well as the cased worth cased worth cased worth cased well as the cased well as the cased well worth cased well as the cased worth cased wor	Within the NW 1/4 SE 1/4 of Section 1, T.1N.	., R.62E., M.D.B. & M. (unsurveyed), or at a point from which the
See Attachment A and Basin 208 Map Sheet 4 of 4. 1. Use will begin about	(See Basin 208 Map Sheet 1 of 4)	
Use will begin about January 1 and end about December 31 of each year. Mention and bay Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water to be diverted, i.e. divertion amount, status and famous, defined well with jump and enter, etc.) Drilled and cased well, vortical turbine pump and motor, pipeline, and a temporary holding pond of about 100 x 100 x 10 feet deep or smaller. Estimated cost of works: \$350,000 Estimated time required to construct works: 3 years (If well completed, describe works.) Forwide a detailed description of the proposed project and its water usage (use attachments if necessary): (Palmet personde detailed description of the proposed project and its water usage (use attachments if necessary): (Palmet personde a detailed description and the proposed project and its water usage (use attachments if necessary): See Attachment A (PahV-4). Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a matter of comity. Ned Larson@ymp.gov Evail Address United States of America, U.S. Dept. of Energy Sidex Address United States of America, U.S. Dept. of Energy Sidex Address of America, U.S	6. Place of use: (Describe by legal subdivision. If on unsurveyed	ed kind, it should be so stated.)
Moreh and Day Moreh and Day Moreh and Day Moreh and Day Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, disches and familie, child well with prop and motor, existing the provision of about 100 x 100 red deep or smaller. Description of proposed works: Stimated vell with prop and motor, pipeline, and a temporary holding pond of about 100 x 100 x 10 feet deep or smaller. Estimated cost of works: Stimated time required to construct works: Stimated time required to construct works: Stimated time required to complete the application of water to beneficial use: (If well completed, describe works) I. Estimated time required to complete the application of water to beneficial use: 10 years Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Value to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a metter of comity. Ned B. Larson	See Attachment A and Basin 208 Map Sheet	4 of 4.
Moreh and Day Moreh and Day Moreh and Day Moreh and Day Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, disches and familie, child well with prop and motor, existing the provision of about 100 x 100 red deep or smaller. Description of proposed works: Stimated vell with prop and motor, pipeline, and a temporary holding pond of about 100 x 100 x 10 feet deep or smaller. Estimated cost of works: Stimated time required to construct works: Stimated time required to construct works: Stimated time required to complete the application of water to beneficial use: (If well completed, describe works) I. Estimated time required to complete the application of water to beneficial use: 10 years Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Value to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a metter of comity. Ned B. Larson		
Moreh and Day Moreh and Day Moreh and Day Moreh and Day Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, disches and familie, child well with prop and motor, existing the provision of about 100 x 100 red deep or smaller. Description of proposed works: Stimated vell with prop and motor, pipeline, and a temporary holding pond of about 100 x 100 x 10 feet deep or smaller. Estimated cost of works: Stimated time required to construct works: Stimated time required to construct works: Stimated time required to complete the application of water to beneficial use: (If well completed, describe works) I. Estimated time required to complete the application of water to beneficial use: 10 years Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Value to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a metter of comity. Ned B. Larson	•	
Moreh and Day Moreh and Day Moreh and Day Moreh and Day Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, disches and familie, child well with prop and motor, existing the provision of about 100 x 100 red deep or smaller. Description of proposed works: Stimated vell with prop and motor, pipeline, and a temporary holding pond of about 100 x 100 x 10 feet deep or smaller. Estimated cost of works: Stimated time required to construct works: Stimated time required to construct works: Stimated time required to complete the application of water to beneficial use: (If well completed, describe works) I. Estimated time required to complete the application of water to beneficial use: 10 years Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Value to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a metter of comity. Ned B. Larson	·	
Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State number in which water is to be diverted, i.e. diversion structure, dichers and funds, diversions of your diversion or storage works.) (State number in which water is to be diverted, i.e. diversion structure, dichers and funds, diversions of your diversion or storage works.) (State number in which water is to be diverted, i.e. diversion structure, dichers and funds and cased well, vortical turbine pump and motor, pipeline, and a temporary holding pond of about 100 x 100 x 100 x 10 feet deep or smaller. Description of works: \$350,000 Estimated cost of works: \$350,000 Estimated time required to complete the application of water to beneficial use: 10 years Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (value to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). A Miscellaneous remarks: The United States of America, U.S. Department of Energy is filing this permit application as a matter of comity. Ned Larson Ned Larson Ned Larson Ned Larson Ned States of America, U.S. Dept. of Energy United States of America, U.S. Dept. of Energy Size of Address of Processing		
Drilled and cased well, vertical turbine pump and motor, pipeline, and a temporary holding pond of about 100 x 100 x 10 feet deep or smaller. Drilled and cased well, vertical turbine pump and motor, pipeline, and a temporary holding pond of about 100 x 100 x 10 feet deep or smaller. Estimated cost of works: \$350,000 Estimated time required to comstruct works: 3 years (If well completed, describe works) I. Estimated time required to complete the application of water to beneficial use: 10 years Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). See Attachment A (PahV-4). Ned Larson@ymp.gov E-mail Address By Ned B. Larson Ned B. Larson United States of America, U.S. Dept. of Energy Those No. United States of America, U.S. Dept. of Energy State Address of P.O. Box 1551 Hillshire Drive State Address of P.O. Box Las Venas, NV 89134 Las Venas, NV 89134	8. Description of proposed works. (Under the p	provisions of NRS 535.010 you may be required to submit plans
100 x 10 feet deep or smaller. Destinated cost of works: \$350,000 Destinated time required to construct works: 3 years (If well completed, describe works) It. Estimated time required to complete the application of water to beneficial use: 10 years Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). See Attachment A (PahV-4). In United States of America, U.S. Department of Energy is filling this permit application as a mietter of comity. Ned Larson@ymp.gov E-mail Address By United States of America, U.S. Dept. of Energy Las Venas NV 89134 APPLICATION MUST BE SIGNED	and thirnes, dislied well with pump and motor, etc.)	-
D. Estimated cost of works: \$350,000 D. Estimated time required to construct works: 3 years (If well completed, describe works.) I. Estimated time required to complete the application of water to beneficial use: 10 years 2. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (ruliurs to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). 13. Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By United States of Larson Company New 1551 Hillishire Drive Stock Address No. 89 34 4	Orilled and cased well, vertical turbine pump	and motor, pipeline, and a temporary holding pond of about 100 x
O. Estimated time required to construct works: 3 years (If well completed, describe works) 1. Estimated time required to complete the application of water to beneficial use: 10 years 2. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). 3. Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By Ned B. Larson Ned B. Larson United States for specification as a matter of comity. Ned B. Larson Ned B. Larson Ned B. Larson The United States of America, U.S. Dept. of Energy Company Name 1551 Hillishire Drive Stet Address or P.O. Box Las Vegas, N.V. 89134		
(If well completed, describe works.) 1. Estimated time required to complete the application of water to beneficial use: 10 years 2. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Pallure to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). 13. Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a matter of comity. Ned Larson@ymp.gov By Ned B. Larson Ned B. Larson United States of America, U.S. Dept. of Energy Company Name 1551 Hillishire Drive Succi Address or P.O. Box Las Vegas. No. 89134	9. Estimated cost of works: \$350,000	
1. Estimated time required to complete the application of water to beneficial use: 10 years 2. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Pallure to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). 3. Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By Ned B. Larson Ned B. Larson United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Steen Address of 20.0 Box Las Vegas, NG 38134	10. Estimated time required to construct works:	3 years
2. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Pallure to provide a detailed description may cause a delay in processing.) See Attachment A (PahV-4). 13. Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By Ned B. Larson Ned B. Larson United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Size Address or P.O. Box Las Venas, NV 89134	11 Retimated time required to assert to 2 2	
See Attachment A (PahV-4).		
13. Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By Ned B. Larson Signature, application as a matter of comity. Ned B. Larson United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Sirect Address of P.D. Box Las Vegas, NV 89134	 Provide a detailed description of the propose (Failure to provide a detailed description may cause a delay in proces 	nd project and its water usage (use attachments if necessary):
13. Miscellaneous remarks: The United States of America, U.S. Department of Energy is filling this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By Ned B. Larson Signature, application as a matter of comity. Ned B. Larson United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Sirect Address of P.D. Box Las Vegas, NV 89134	See Attachment A (PahV-4).	
The United States of America, U.S. Department of Energy is filing this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By Ned B. Larson Significant application as a matter of comity. By Significant application application as a matter of comity. By Significant application as a matter of comity. By Significant application applicati		
The United States of America, U.S. Department of Energy is filing this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By Ned B. Larson Significant application as a matter of comity. By Significant application application as a matter of comity. By Significant application as a matter of comity. By Significant application applicati		
The United States of America, U.S. Department of Energy is filing this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By Ned B. Larson Significant application as a matter of comity. By Significant application application as a matter of comity. By Significant application as a matter of comity. By Significant application applicati		
The United States of America, U.S. Department of Energy is filing this permit application as a matter of comity. Ned Larson@ymp.gov E-mail Address By Ned B. Larson Significant application as a matter of comity. By Significant application application as a matter of comity. By Significant application as a matter of comity. By Significant application applicati		
Ned Larson@ymp.gov E-mail Address By Ned B. Larson Signification application agent United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Street Address or P.O. Box APPLICATION MUST BE SIGNED Ned B. Larson United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Street Address or P.O. Box Las Vegas, NV 89134	13. Miscellaneous remarks:	
Ned Larson@ymp.gov E-mail Address By Ned B. Larson Signification application agent United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Street Address or P.O. Box APPLICATION MUST BE SIGNED Ned B. Larson United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Street Address or P.O. Box Las Vegas, NV 89134	The United States of America, U.S. Departme	ent of Energy is filing this permit application as a matter of comity.
By Signar, application seem (702) 794-1454 United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Street Address or P.O. Box APPLICATION MUST BE SIGNED Las Vegas, NV, 89134		
By Signar, application seem (702) 794-1454 United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Street Address or P.O. Box APPLICATION MUST BE SIGNED Las Vegas, NV, 89134		·
By Signar, application seem (702) 794-1454 United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Street Address or P.O. Box APPLICATION MUST BE SIGNED Las Vegas, NV, 89134		
By Signar, application seem (702) 794-1454 United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Street Address or P.O. Box APPLICATION MUST BE SIGNED Las Vegas, NV, 89134	Alad taman Suma	
(702) 794-1454 United States of America, U.S. Dept. of Energy Company Name 1551 Hillshire Drive Street Address or P.O. Box APPLICATION MUST BE SIGNED Las Vegas, NV 89134		
(702) 794-1454 Phone No. Company Name 1551 Hillshire Drive Street Address or P.O. Box APPLICATION MUST BE SIGNED Las Vegas, NV 89134		
Phone No. Company Name 1551 Hillshire Drive Street Address or P.O. Box APPLICATION MUST BE SIGNED Las Vegas, NV 89134	<u>(702) 7</u> 94-1454	
APPLICATION MUST BE SIGNED Las Vegas, NV 89134		Сонтрилу Name
APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT Las Vegas, NV 89134 Las Vegas, NV 89134 Code		1551 MILISHIFE LYRVE Street Address or P.O. Box
TE TOTAL CONTRACTOR AND A STATE OF THE STATE		Las Vegas, NV 89134
	DI INE ATTERCANT OR ACTENT	TE TOTAL TE AND THE TERM

S250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 11-07

Protested: April 3, 2009, by the Nevada Agency for Nuclear Projects by and through the Attorney General's Office; on April 9, 2009, by Nye County; on April 10, 2009, by Lincoln County Water District

ATTACHMENT A

Water Appropriation Permit Application Supplemental Information

YMP Well Identifier PahV-4:

This application to temporarily appropriate the waters of the State of Nevada is being filed by the United States of America, U.S. Department of Energy (DOE) in order to provide water for meeting the DOE's responsibilities under the <u>Nuclear Waste Policy Act of 1982, as amended.</u> This application is being filed to appropriate water for the construction of a rail line to Yucca Mountain, which will probably take up to 10 years, but may take longer depending on funding and other issues. Once construction is completed the permit will be withdrawn.

<u>Item 2</u>. The total annual duty from 11 points of diversion applied for in Basin 208 will not exceed 781 acre-feet per year. It is anticipated that the total use of water within Basin 208 during the construction period will not exceed 919 acre-feet. An annual duty that is near the maximum anticipated need is requested because it is likely that a large proportion of the total water demand will be used during the first one to two years of construction.

<u>Item 3</u>. Construction uses will include, but are not limited to, geotechnical and hydrological investigations, road construction, facility construction, rail construction, dust suppression, quarry operations, construction camp operations, and other related site uses.

<u>Item 6</u>. The place of use is any portion of Sections that are within one-half mile of the rail alignment, access roads, and facilities within the basin of origin and adjacent basins, as shown in Basin 208 Map Sheet 4 of 4. The place of use is defined as all quarter-quarter sections within the following sections:

<u>T.4N., R.60E.</u>, Sections: 21, 22, 23, 24, 25, 26, 27; <u>T.4N., R.61E.</u>, Sections: 19, 20, 28, 29, 30, 32, 33, 34; <u>T.3N., R.61E.</u>, Sections: 2, 3, 4, 10, 11, 13, 14, 24; <u>T.3N., R.62E.</u>, Sections: 18, 19, 20, 28, 29, 30, 32, 33, 34; <u>T.2N., R.62E.</u>, Sections: 3, 4, 10, 11, 13, 14, 15, 22, 23, 24, 25, 36; ; <u>T.2N., R.63E.</u>, Sections: 19, 30, 31; ; <u>T.1N., R.62E.</u>, Sections: 1, 13, 24; ; <u>T.1N., R.63E.</u>, Sections: 6, 7, 8, 17, 18, 19, 20, 21, 26, 27, 28, 29, 30, 34, 35; ; <u>T.1S., R.63E.</u>, Sections: 1, 2, 11, 12, 13; <u>T.1S., R.64E.</u>, Sections: 7, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27; <u>T.1S., R.65E.</u>, Sections: 19, 27, 28, 29, 30, 32, 33, 34, 35; <u>T.2S., R.65E.</u>, Sections: 1, 2, 3, 11, 12, 13, 14; <u>T.2S., R.66E.</u>, Sections: 4, 5, 7, 8, 9, 16, 17, 18.

Item 12. The DOE will construct a 333-mile-long railroad from the existing Union Pacific mainline in Caliente, Nevada to Yucca Mountain. That railroad will be used to transport spent nuclear fuel, high-level radioactive waste, and other materials to a geologic repository at Yucca Mountain. The DOE will also allow commercial shippers to use the rail line to ship general freight, subject to obtaining a Certificate of Public Convenience and Necessity from the Surface Transportation Board and other necessary regulatory approvals.

Up to 103 wells will be used along the rail line to obtain the approximately 6,000 acre-feet of groundwater required for construction of the railroad. DOE anticipates that about 90 percent of the water will be needed at some time during the first one to two years of construction for compaction of the rail roadbed and for dust suppression. The remainder of the water will be used throughout the construction phase for the activities described in Item 3 above. It is likely that all wells within a basin will be operated during the six- to twelve-month period when the roadbed is being constructed within a basin. Fewer wells may be operated within a basin, and likely will be pumped at a lower rate, during the remainder of construction.

SIMP ENGLANDS ANTON SA